

So the bill passed, title as stated.

And the same was ordered certified to the House of Representatives.

Mr. Etheredge moved that the Senate do now adjourn.  
Which was agreed to.

Thereupon at 6:20 o'clock P. M., the Senate stood adjourned until 10 o'clock A. M. Thursday, May 10, 1923.

**Thursday, May 10, 1923**

The Senate met at 10 o'clock a. m.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President, Senators Anderson, Butler, Calkins, Campbell, Colson, Cone, Eaton, Epperson, Etheredge, Hodges, Igou, Johnson, Knabb, Knight, Lindsey, MacWilliams, Malone, Mapoles, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, Scales, Shelley, Singletary, Stokes, Taylor, Wells, Wicker—32.

A quorum present.

Prayer by the Chaplain.

Reading of the Journal was dispensed with.

The Journal of Wednesday, May 9th, was corrected, and as corrected was approved.

#### REPORT OF COMMITTEES.

Mr. Rowe, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 10, 1923.

*Hon. T. T. Turnbull,*  
*President of the Senate.*

*Sir:*

Your Joint Committee on Enrolled Bills, to whom was referred—

(House Bill No. 591):

An Act validating all the acts and proceedings of the Board of Supervisors and all other officers and agents of North St. Lucie River Drainage District in St. Lucie County, Florida, and validating the bonds of said district

and the levies of total taxes for said district, and all tax levies and assessments made by the Board of Supervisors of said Drainage District.

Also—

(House Bill No. 257):

An Act creating the Diston Island Drainage District, providing the period of its existence, the manner in which the Board of Supervisors shall be elected, authorizing the said District to proceed with the drainage and reclamation of the land embodied in said district, under Chapter 6458, Laws of Florida, of 1913, and making applicable to said Drainage District said Chapter.

Also—

(House Bill No. 563):

An Act to prohibit and make it unlawful for Live Stock to run or roam at large within certain territorial limits of Highlands County, Florida; to provide for the impounding and sale of said live stock when found running or roaming at large in violation of this Act, and to provide for the recovery of damages suffered by persons or property by reason thereof and to provide for a referendum in connection therewith.

Also—

(House Bill No. 489):

An Act to extend the corporate limits of the Town of Eustis, Lake County, Florida, and to give the said town of Eustis jurisdiction over the territory embraced in said extension.

Have examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signatures of the President and Secretary of the Senate.

Very respectfully,

R. H. ROWE.

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

The bills contained in the above report have been duly signed by the President and Secretary of the Senate in

open session and ordered referred to the Joint Committee on Enrolled Bills on the Part of the Senate, to be conveyed to the Governor for his approval.

Mr. Rowe, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Florida, May 10, 1923.

Hon. T. T. Turnbull,  
President of the Senate.

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred—

(House Bill No. 595):

An Act authorizing the appointment of a receiver to collect delinquent taxes of the Melbourne-Tillman Drainage District, upon application of any bondholder, in case of default.

Also—

(House Bill No. 596):

An Act fixing the period of redemption of lands in the Crane Creek Drainage District that may be sold for delinquent taxes assessed by said district.

Also—

(House Bill No. 597):

An Act fixing the period of redemption of lands in the Melbourne-Tillman Drainage District that may be sold for delinquent taxes assessed by said district.

Also—

(House Bill No. 632):

An Act fixing the compensation of the County Solicitor of the Criminal Court of Record in certain counties.

Also—

(House Bill No. 598) :

An Act to amend Sections 48, 79 and 82 of Chapter 9021, Laws of Florida, the same being An Act to abolish the present municipality of the City of Melbourne, Brevard County, Florida, and to create and establish a municipal corporation to be known as the City of Melbourne, Brevard County, Florida; to prescribe the territorial limits thereof; and to provide for the carrying into effect of the certain powers upon said municipality and the officers thereof; and to provide for the carrying into effect of the provisions of this Act.

Have examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signatures of the President and Secretary of the Senate.

Very respectfully,

R. H. ROWE,

Chairman of the Joint Committee on  
Enrolled Bills on the Part of the Senate.

The bills contained in the above report have been duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

Mr. Rowe, Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 10, 1923.

*Hon. T. T. Turnbull,*  
*President of the Senate.*

*Sir:*

Your Joint Committee on Enrolled Bills, to whom was referred—

(House Bill No. 566) :

An Act for the protection of Fish in the Fresh Water Canals, Rivers, Streams, Creeks, Lakes and Bayous of Bre-

vard County, Florida, and providing penalties for the violation of this Act.

Also—

(House Bill No. 636) :

An Act authorizing the Board of County Commissioners of Duval County, Florida, to construct and maintain permanent roads and highways in Pablo Beach, Duval County, Florida.

Also—

(House Bill No. 434) :

An Act providing a closed season for Deer and Wild Turkey in Sarasota County, Florida, and to authorize the County Commissioners of Sarasota County to appropriate funds for the enforcement of this Act.

Also—

(House Bill No. 608) :

An Act to legalize and confirm the Acts and Proceedings of the Board of County Commissioners of Lake County, Florida, and the election held in connection therewith, in relation to the establishment of Leesburg Special Road and Bridge District in said county and the issuance of Bonds in behalf of said District.

Also—

(House Bill No. 501) :

An Act to authorize the Board of County Commissioners of Wakulla County, Florida, to borrow not exceeding two thousand (\$2,000.00) dollars for the purpose of paying the semi-annual interest due August 1st, 1923, on the County Highways Bonds of said County dated February 1st, 1923, and sold on March 19th, 1923, and to issue Interest-Bearing Time Warrant or Warrants for such loan.

Also—

(House Bill No. 64) :

An Act authorizing and empowering County Commissioners of certain Counties having a population of not less than seventy-five thousand (75,000) and not more than one hundred thousand (100,000) according to the Federal Census of 1920, to enter into contract with attorneys-at-law to collect amounts due on Bonds in Criminal Matters Estreated by Courts sitting in said Counties.

Also—

(House Bill No. 599):

An Act authorizing the appointment of a Receiver to collect delinquent taxes of the Crane Creek Drainage District, upon application of any bondholder, in case of default.

Have examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signatures of the President and Secretary of the Senate.

Very respectfully,

R. H. ROWE,

Chairman of the Joint Committee on Enrolled Bills on the part of the Senate.

The bills contained in the above report have been duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

Mr. Rowe, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 10, 1923.

*Hon. T. T. Turnbull,*  
*President of the Senate.*

*Sir:*

Your Joint Committee on Enrolled Bills, to whom was referred—

(Senate Bill No. 370.)

An Act to change the name of the Town of Winter Garden, a municipal corporation in the County of Orange and State of Florida, to the City of Winter Garden; to the City of Winter Garden; to change and enlarge the boundaries thereof; to amend Sections 9, 54, 55, 57 and 59 of Chapter 6798, Laws of Florida, Acts of 1913, and to enlarge the powers and privileges of said municipality.

Also—

(Senate Bill No. 339.)

An Act authorizing the Board of County Commissioners of the County of Okeechobee, Florida, by resolution, to issue negotiable interest-bearing bonds, bearing seven per cent interest per annum, payable semi-annually, in such form, date, date of maturity, and time and place, or places of payments as the said Board of County Commissioners may adopt, in the sum of \$160,000, for the purpose of completing the construction of the State Road No. Eight (8), leading from the west city limits of the City of Okeechobee, Florida, to the Okeechobee County west boundary, at Kissimmee River; providing for the levy of taxes to pay the principal and interest of said bonds; authorizing the expenditure of any balance that may be left over, in completing and improving other roads and bridges of the County of Okeechobee.

Have examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signatures of the President and Secretary of the Senate.

Very respectfully,

R. H. ROWE,

Chairman of the Joint Committee on Enrolled Bills  
on the Part of the Senate.

The bills contained in the above report have been duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

Mr. Rowe, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Florida, May 10, 1923.

*Hon. T. T. Turnbull,*  
*President of the Senate.*

*Sir:*

Your Joint Committee on Enrolled Bills, to whom was referred—

(Senate Bill No. 246):

An Act requiring the submission to a vote of the qualified electors owning real estate in the City of Orlando, Florida, any purchase or sale of real property by said City of a Value of more than \$10,000.00.

Also—

(Senate Bill No. 243):

An Act to authorize the City of Orlando to transfer money from one fund to another fund upon certain conditions.

Also—

(Senate Bill No. 247):

An Act validating certain Time Warrants issued by the City of Orlando, Florida.

Also—

(Senate Bill No. 150):

An Act providing for the creation of Hendry County in the State of Florida, and for the organization and government thereof.

Also—

(Senate Bill No. 305):

An Act providing for the sale and issuance of bonds in the sum of Thirty-five Thousand Dollars by the Board of Public Instruction for the County of Union, State of Florida, to fund the outstanding indebtedness of the said Board of Public Instruction, and providing for a sinking fund with which to pay the principal and interest on said bonds a same matures, and specifying what interest said bonds are to bear and date of maturity of same.

Have examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives we herewith present the same for the signatures of the President and Secretary of the Senate.

Very respectfully,

R. H. ROWE,

Chairman of the Joint Committee on Enrolled  
Bills on the part of the Senate.

The bills contained in the above report, have been duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

Mr. Rowe, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 10, 1923.

*Hon. T. T. Turnbull,*  
*President of the Senate.*

*Sir:*

Your Joint Committee on Enrolled Bills, to whom was referred—

(Senate Bill No. 371):

An Act to amend Sections 1 and 2, Chapter 9117, Laws of Florida, Acts of 1921, relating to municipal improvements in the Town of Winter Garden, a municipal corporation of Orange County, Florida.

Also—

(Senate Bill No. 320):

An Act to protect the fox in Sumter County, Florida.

Also—

(Senate Bill No. 245):

An Act to extend the corporate limits of the City of Orlando and to give the said City of Orlando jurisdiction over the territory embraced in said extension.

Also—

(Senate Bill No. 239):

An Act authorizing the City of Orlando to incur certain indebtedness and to issue its promissory notes therefor.

Also—

(Senate Bill No. 241):

An Act creating a Municipal Court for the City of Orlando and providing for the election of a Municipal Judge of said Court.

Also—

(Senate Bill No. 131):

An Act to amend Section One of Chapter 8540 of the Acts of 1921, Laws of Florida, relating to the duties of Pilot Commissioner, the examination and number of Pilots.

Have examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signatures of the President and Secretary of the Senate.

Very respectfully,

R. H. ROWE,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

The bills contained in the above report have been duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the Part of the Senate, to be conveyed to the Governor for his approval.

#### INTRODUCTION OF BILLS.

By Mr. Rowe—

Senate Bill No. 437:

A bill to be entitled An Act to validate the proceedings of the town of Greenville, Florida, in relation to the calling

of an election for the issuance of bonds in the sum of \$30,000.00 for a water works system and electric light system for said town, and all acts and proceedings pertaining to the holding of the election and declaration of the result thereof, and providing for the execution and issuance of said bonds, and the levying and collection of taxes to pay same.

Which was read the first time by its title.

Mr. Rowe moved that the rules be waived and Senate Bill No. 437 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 437 was read a second time by its title only.

Mr. Rowe moved that the rules be further waived and that Senate Bill No. 437 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 437 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Anderson, Butler, Calkins, Campbell, Colson, Cone, Eaton, Epperson, Etheredge, Hodges, Igou, Johnson, Knight, Lindsey, MacWilliams, Malone, Mapoles, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, Scales, Shelley, Singletary, Stokes, Taylor, Wells, Wicker—31.

Nays—None.

So the bill passed, title as stated.

And the same was ordered certified to the House of Representatives immediately.

By Mr. Taylor—

Senate Bill No. 438:

A bill to be entitled An Act to amend Section 4848 of the Revised General Statutes of the State of Florida, making the 11th day of November of each year a legal holiday.

Which was read the first time by its title.

Mr. Taylor moved that the rules be waived and Senate Bill No. 438 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 438 was read a second time by its title only.

Mr. Taylor moved that the rules be further waived and that Senate Bill No. 438 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 438 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Anderson, Butler, Calkins, Campbell, Cone, Eaton, Epperson, Etheredge, Hodges, Igou, Johnson, Knabb, Lindsey, MacWilliams, Malone, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, Scales, Shelley, Singletary, Taylor, Wicker—26.

Nays—None.

So the bill passed, title as stated.

And the same was ordered certified to the House of Representatives.

By Mr. Knight—

Senate Bill No. 439:

A bill to be entitled An Act to validate, ratify and confirm all acts, ordinances and proceedings heretofore had, held and passed by the Town Council of the Town of Hampton, Bradford County, Florida, and to ratify, validate and confirm any and all tax levies and assessments which have heretofore been made by the legally constituted authorities of the said Town of Hampton, for municipal purposes and to authorize the collection of all such tax assessments, including the tax assessment for the year 1922, of said town, in the manner now provided by law.

Which was read the first time by its title.

Mr. Knight moved that the rules be waived and Senate Bill No. 439 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 439 was read a second time by its title only.

Mr. Knight moved that the rules be further waived and that Senate Bill No. 439 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 439 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Anderson, Butler, Calkins, Campbell, Cone, Epperson, Etheredge, Hodges, Igou,

Johnson, Knabb, Knight, Lindsey, MacWilliams, Malone, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, Scales, Shelley, Singletary, Taylor, Wells, Wicker—28.

Nays—None.

So the bill passed, title as stated.

And the same was ordered certified to the House of Representatives.

By Mr. Wells—

Senate Bill No. 440:

A bill to be entitled An Act authorizing and empowering the City Commission of the City of Port St. Joe, Florida, with the consent of the registered voters of said city to purchase, erect and construct within said city an electric lighting and power plant and electric light and power system for the purpose of lighting the streets of said city and selling electric current to the public at a cost not exceeding ten thousand dollars and to pay for the same by issuing and selling time warrants of said city maturing not more than ten years from the date of issue, and providing for the levy of a special tax to pay the interest and principal of such time warrants.

Which was read the first time by its title.

And the bill was placed on the Calendar of Local Bills on the Second Reading without reference.

By Mr. Malone—

Senate Bill No. 441:

A bill to be entitled An Act to authorize the Board of County Commissioners of Monroe County, Florida, to issue and sell interest bearing time warrants and to provide for the application of the moneys derived from such issue and sale.

Which was read the first time by its title.

And the bill was placed on the Calendar of Local Bills on the Second Reading without reference.

By Mr. Malone—

Senate Bill No. 442:

A bill to be entitled An Act regulating and fixing the compensation of the County Commissioners of Monroe County, Florida.

Which was read the first time by its title.

And the bill was placed on the Calendar of Local Bills on the Second Reading without reference.

By Senator Putnam—

Senate Bill No. 443:

A bill to be entitled An Act to amend Section 550, Revised General Statutes of Florida relating to attendance upon other than Public Schools under the compulsory school attendance law.

Which was read the first time by its title and referred to the Committee on Education.

By Senator Igou—

Senate Bill No. 444:

A bill to be entitled An Act to validate, approve and confirm proceedings taken for the levying of assessments against certain property abutting and fronting upon a certain street in the Town of Eustis, Lake County, Florida; known and designated as "Lake Gracie Drive" for the construction of certain street paving thereon; to validate, approve and confirm the ordinances providing for the same and all other Acts and proceedings taken by the Town Council of said town and the other officers and agents of said town for and on behalf of same in connection with the levying of said assessments; to authorize said town to issue certificates of indebtedness against said assessments and said property abutting and fronting on said streets and avenues; and to authorize said town to issue improvement bonds against said assessments and such certificates of indebtedness, and to make the same general obligations of the said town of Eustis.

Which was read the first time by its title.

And the Bill was placed on the Calendar of Local Bills on the Second Reading without reference.

By Mr. Igou—

Senate Bill No. 445:

A bill to be entitled An Act to validate, approve and confirm proceedings taken for the levying of assessments against certain property abutting and fronting upon certain streets and avenues in the Town of Eustis, Lake County, Florida, for the construction of certain street paving; to validate, approve and confirm the ordinances

providing for the same, and all other acts and proceedings taken by the Town Council of said town and the other officers and agents of said town for and on behalf of same in connection with the levying of said assessments; to authorize said town to issue certificates of indebtedness against said assessments and said property abutting and fronting on said streets and avenues; and to authorize said town to issue improvement bonds against said assessments and said certificates of indebtedness, and to make same the general obligations of the said Town of Eustis.

Which was read the first time by its title.

And the bill was placed on the Calendar of Local Bills on the Second Reading without reference.

By Mr. Taylor—

Senate Bill No. 446:

A bill to be entitled An Act validating all assessments and reassessments made heretofore by the City of St. Petersburg, for any street, sidewalk, alley or sewer improvements; and validating all papers, certificates, etc., in connection therewith.

Which was read the first time by its title.

And the bill was placed on the Calendar of Local Bills on the Second Reading without reference.

By Senator Wicker—

Senate Bill No. 447:

A bill to be entitled An Act to regulate the transportation of livestock and to provide penalties for the violation thereof.

Which was read the first time by its title and referred to the Committee on Judiciary A.

By Mr. Taylor—

Senate Joint Resolution No. 448:

A Joint Resolution proposing amending Article XV of the Constitution of the State of Florida relative to Public Health.

Which was read the first time by its title and referred to the Committee on Constitutional Amendments.



By Senator Wells—

Senate Bill No. 449:

A bill to be entitled An Act to create a Florida Board of Veterinary Examiners; to prescribe its membership, powers and duties; fix the compensation of its members and vest in said Board the authority to examine diplomas, credentials and affidavits of applicants and to hold examinations; to issue and revoke licenses to practice veterinary medicine and surgery in this State and to provide penalties for the violation of this Act.

Which was read the first time by its title and referred to the Committee on Judiciary B.

On Motion of Mr. Shelley, Senate Bill No. 205 was made a special order for consideration on Friday, May 11, at 12 o'clock noon.

On motion of Mr. Colson, Senate Bill No. 255 was made a special order for consideration at 12 o'clock noon, Wednesday, May 16.

Mr. Knight moved that House Bills Nos. 20, 102, 180, 227, 360, 97, 261, 40, 41 and 286 be made a special order for consideration at 10:30 o'clock A. M. tomorrow.

Which was not agreed to.

Mr. Singletary moved that the vote by which the Senate refused to make the foregoing bills orders of the day be reconsidered.

Mr. Singletary moved to waive the rules and that the motion to reconsider said vote be now taken up for consideration.

Which was agreed to by a two-thirds vote.

The question was put "Will the Senate reconsider the vote by which the Senate refused to place the foregoing bills on the orders of the day?"

The Senate refused to reconsider its action.

#### CONSIDERATION OF RESOLUTIONS.

House Memorial No. 4:

A Memorial to the Congress of the United States requesting an appropriation for the improvement of the navigation of the St. Johns River between Jacksonville and Palatka and Sanford, Florida.

Whereas, The navigation of the St. Johns River between Jacksonville and Palatka and Sanford, Florida, is at times seriously impeded by the several bars or shoals that prevent the passage of vessels now plying said river; and

Was taken up and read the second time.

Mr. Russell moved to adopt House Memorial No. 4.

The question was put upon the adoption of the Memorial.

House Memorial No. 4 was adopted and the same was ordered to be certified to the House of Representatives.

House Concurrent Resolution No. 14:

Considering, That Section 2 of Article III of the Constitution of the State of Florida provides that a Regular Session of the Legislature may extend for a period of 60 days; and

Considering, that the Legislature of the State of Florida in Regular Session convened in the year 1923, should adjourn not later than 12 o'clock noon on the first day of June 1923; Therefore, be it

Resolved by the House of Representatives, the Senate Concurring, That the regular session of the Legislature for the State of Florida for the year 1923, adjourn sine die Friday, June 1st, 1923, at 12 o'clock noon.

Was taken up and read the Second time.

The question was put upon the adoption of House Concurrent Resolution No. 14, and the Senate adopted the Resolution,

And the same was ordered to be certified to the House of Representatives.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was received:

House of Representatives,  
Tallahassee, Florida, May 9, 1923.

*Hon. T. T. Turnbull,  
President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—  
Senate Bill No. 46:

A bill to be entitled An Act to amend Section 2787, regulating the summoning of jurors of certain Courts, with certain exceptions.

Together with the following amendment:

Section 1, lines 7, and 13, strike out the words "Section 2" "Section 3" and renumber Section 4 to read Section 2 and Section 5 to read Section 3.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

B. A. MEGINNISS,  
Chief Clerk House of Representatives.

And—

Senate Bill No. 46, together with the House amendments thereto, as contained in the above message, was placed before the Senate.

Mr. Hodges moved that the Senate do concur in the House amendment to Senate Bill No. 46.

Which was agreed to.

And Senate Bill No. 46, as passed by the Senate and amended by the House of Representatives, and concurred in by the Senate, was referred to the Committee on Enrolled Bills.

And the concurrence of the Senate to the House of Representatives amendment was ordered to be certified to the House of Representatives.

Also—

The following message from the House of Representatives was received:

House of Representatives,  
Tallahassee, Florida, May 9, 1923.

*Hon. T. T. Turnbull,  
President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—  
Senate Bill No. 84:

A bill to be entitled An Act to amend Section 5071, of the Revised General Statutes of Florida, relating to cruelty to children.

Together with the following amendment:

At the end of line 4, insert the words "treatment and."

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

B. A. MEGINNISS,  
Chief Clerk House of Representatives.

Senate Bill No. 84, together with the House amendment thereto, as contained in the above message, was placed before the Senate.

Mr. Hodges moved that the Senate do concur in the House amendment to Senate Bill No. 84.

Which was agreed to.

And Senate Bill No. 84, as passed by the Senate and amended by the House of Representatives, and concurred in by the Senate, was referred to the Committee on Enrolled Bills.

And the concurrence of the Senate to the House of Representatives amendment to Senate Bill No. 84 was ordered to be certified to the House of Representatives.

Also—

The following message from the House of Representatives was received:

House of Representatives,  
Tallahassee, Fla., May 9, 1923.

*Hon. T. T. Turnbull,*  
*President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 783:

A bill to be entitled An Act to amend Chapters 6738, Special Acts of A. D. 1913, and Chapter 8328, Special Acts of A. D. 1919, relative to the Charter of the Town of Orange Park, Florida.

Also—

House Bill No. 472:

A bill to be entitled An Act to amend Section 1907 of the Revised General Statutes of the State of Florida of 1920, said section providing for the issuance of improvement bonds by cities and towns of the State of Florida by providing that all improvement bonds issued under the provisions of said section shall be the absolute, unconditional and general obligation of the city or town issuing same, and authorizing the cities and towns to levy taxes if necessary for the payment of such bonds, and declaring all bonds heretofore issued by any city or town in the State of Florida under the provisions of said section to be general and unconditional obligations of such city or town; and authorizing such city or town to levy taxes to pay same if necessary, and validating all bonds heretofore issued by any city or town in the State of Florida under provisions of said section.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And House Bill No. 783, contained in the above message, was read the first time by its title and was placed on the Calendar of Local Bills on the second reading.

And House Bill No. 472, contained in the foregoing message, was read the first time by its title and referred to the Committee on Judiciary A.

Also—

The following message from the House of Representatives was received:

House of Representatives,  
Tallahassee, Fla., May 5, 1923.

*Hon. T. T. Turnbull,*  
*President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 274:

A bill to be entitled An Act to protect the title of motor vehicles within this State; to provide for the issuance of certificates of title and evidence of registration thereof; to regulate the purchase, sale, and transfer of ownership thereof, and to provide penalties for the violation of the provisions hereof.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And House Bill No. 274, contained in the above message, was read the first time by its title and referred to the Committee on Public Roads and Highways.

Also—

The following message from the House of Representatives was received:

House of Representatives,  
Tallahassee, Fla., May 9, 1923.

*Hon. T. T. Turnbull,  
President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—  
House Bill No. 707:

A bill to be entitled An Act to make it unlawful for live stock to run or roam at large in the following part of Okeechobee County, Florida: Townships 36 and 37, and fractional Township 38 of Range 35, and fractional Township 37 of ranges 33 and 34, and fractional Township 38 of Range 34; to provide for the impounding and sale of such live stock so running at large; to provide penalties for the violation of this Act; and providing that persons damaged by such stock running at large may recover damages therefor, together with a reasonable attorney's fee, from the owner of such live stock.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And House Bill No. 707, contained in the above message, was read the first time by its title and was placed on the Calendar of Local Bills on the Second Reading without reference.

Also—

The following message from the House of Representatives was received:

House of Representatives,  
Tallahassee, Fla., May 9, 1923.

*Hon. T. T. Turnbull,  
President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required constitutional three-fifths ( $\frac{3}{5}$ ) vote of all the members elected to the House of Representatives of the State of Florida for the session of 1923:

Senate Joint Resolution No. 255:

A Joint Resolution proposing an amendment of Section 3 of Article 7 of the Constitution of the State of Florida, relating to census and apportionment.

Be It Resolved by the Legislature of the State of Florida, That the following amendment of Section 3 of Article 7 of the Constitution of the State of Florida, relating to census and apportionment, be, and the same is, hereby agreed to and shall be submitted to the electors of the State of Florida for approval or rejection at the next General Election of Representatives to be held on the first Tuesday after the first Monday in November, A. D. 1924; that is to say, that Section 3 of Article 7 of the Constitution of the State of Florida shall be amended to read as follows:

Section 3. The Legislature that shall meet in regular session, A. D. 1925, and those that shall meet every ten years thereafter, shall apportion the Representatives in the Senate, and shall provide for thirty-eight (38) Senatorial Districts, such Districts to be as nearly equal in population as practicable, but no county shall be divided in making such apportionment, and each District shall have one Senator; and, at the same time, the Legislature shall also apportion the Representation in the House of Representatives, and shall allow three (3) Representatives to each of the five most populous counties, and two (2) Representatives to each of the next eighteen most populous counties, and one Representative to each of the remaining counties of the State at the time of such apportionment. Should the Legislature fail to apportion the representation in the Senate and in the House of Representatives, at any regu-

lar session of the Legislature at any of the times herein designated, it shall be the duty of the Legislature or Legislatures succeeding such regular session of the Legislature, either in special or regular session, to apportion the Representation in the Senate and in the House of Representatives as herein provided. The preceeding regular Federal or regular State Census, whichever shall have been taken nearest any apportionment of Representatives in the Senate and in the House of Representatives, shall control in making any such apportionment.

With the following amendment:

At the end of the Resolution add: In the event the Legislature shall fail to reapportion the representation in the Legislature as required by this amendment, the Governor shall within thirty days after the adjournment of the regular session, call the Legislature together in extraordinary session to consider the question of reapportionment and such extraordinary session of the Legislature is hereby manditorily required to reapportion the representation as required by this amendment before its adjournment and such extraordinary session so called for reapportionment shall not be limited to expire at the end of twenty days or at all, until reapportionment is effected and shall consider no business other than such reapportionment.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And Senate Joint Resolution No. 255, contained in the above message, was on motion by Mr. Johnson made a continuing order.

Mr Etheredge moved that Senate Joint Resolution No. 178 be made a special order for Friday, May 11, at 11:30 A. M.

Mr. Rowe moved that Senate Joint Resolution No. 122 be made a special order for Friday, May 11, at 12:30 o'clock.

The motion of Mr. Butler, to reconsider the vote by which Senate Bill No. 517, with the Governor's objections thereto, failed to pass the Senate, was taken up.

Mr. Johnson raised the point of order that a motion to reconsider a vote, by which a vetoed bill failed to pass over the Governor's objections is not in order, inasmuch as such a vote is final, and not subject to reconsideration according to parliamentary procedure.

The Chair ruled the point well taken, and sustained the point of order.

Mr. Stokes moved that the Chair proceed to take the attitude of the Senate upon the question: "It is the sense of the Senate that, under its rules, once the Senate has acted on a veto message of the Governor, the Senate may reconsider its action either in sustaining or overruling the veto of the Governor within the provisions of the rule of the Senate?" the motion not to be regarded as an appeal from the decision of the chair.

The Chair put the question.

Upon which the roll was called and the vote was:

Yeas—Senators Butler, Campbell, Colson, Cone, Etheredge, Igou, Lindsey, MacWilliams, Malone, Mapoles, Overstreet, Phillips, Putnam, Russell, Shelley, Stokes, Taylor—17.

Nays—Mr. President, Senators Anderson, Calkins, Hodges, Johnson, Knabb, Knight, Mitchell, Rowe, Scales, Singletary, Wells, Wicker—13.

So the motion of Mr. Butler to take up the motion to reconsider the vote by which Senate Bill No. 517 (of 1921) failed to pass the Senate over the Governor's veto, prevailed.

And—

(Senate Bill No. 517):

"An Act relating to the salaries of the Judges of the Circuit Courts of counties having a population of more than one hundred thousand according to the latest Federal census, and providing for a portion of such salaries to be paid from the general revenue of such counties."

Together with the following objections:

1. By its terms this Act is a general law, yet by its application it affects only the Circuit Judges presiding in Duval County. Section 42 of Article 5 of the Constitution, providing for an additional judge of the Circuit Court of Duval County, fixes the salary and allowances for expenses of such Circuit Judge at the same amount as that prescribed for other Circuit Judges throughout the State. Other Circuit Judges by recent Act of the Legislature, are

paid a salary of \$5,000.00 per year with \$300.00 for expenses, which compensation must necessarily be that of the Circuit Judge of Duval County, under the provisions of Section 42 of Article 5, as above. Any additional compensation to him as provided in this Act would be unauthorized and contrary to the Constitution.

2. Under our Constitution the Judiciary is one of the arms or branches of the State Government and nowhere, in so far as Circuit Judges are concerned, is their power or authority limited or restricted to any one county. I do not, therefore, believe it is proper for the Legislature to provide that any portion of the salary of a Circuit Judge, or Judges, shall be paid from county taxes, and to declare that such payments of money shall be for county purposes.

3. Section 5 of Article 9 of our Constitution, among other things, provides that the Legislature shall authorize the several counties to assess and collect taxes for county purposes only. All Circuit Judges in this State, in addition to the fact that they preside in their own Circuits, may be sent to any other county or circuit throughout the State by order of the Governor, but whenever or wherever they are so acting they are there in the representative capacity and name of the State and not as the representative of the particular county; in view of which fact, I do not believe it would be competent for the Legislature to provide that any portion of the salary or traveling expenses of such Circuit Judges should be paid from county funds so assessed and collected.

Was taken up.

The question was put, Shall the vote by which the Senate failed to pass Senate Bill No. 517 (of 1921) be reconsidered by the Senate.

So the motion to reconsider did not prevail.

Mr. Johnson moved that when the Senate shall adjourn it shall take a recess until 8 o'clock P. M. to consider all convict bills.

Which was agreed to.

Mr. Scales arose to a point of personal privilege.

The hour having arrived for the consideration of Special Orders—

Senate Joint Resolution No. 214:

A Joint Resolution proposing an amendment to Article VIII of the Constitution of the State of Florida, relative to cities and counties.

Was taken up.

Mr. Butler moved to waive the rules and that Senate Joint Resolution No. 214 be read the third time and placed upon its passage.

Which was agreed to.

And—

Senate Joint Resolution was read the third time in full as follows:

Senate Joint Resolution No. 214:

A Joint Resolution proposing an amendment to Article VIII of the Constitution of the State of Florida relative to Cities and Counties.

*Be It Resolved by the Legislature of the State of Florida:*

That the following amendment to Article VIII of the Constitution of the State of Florida relative to cities and counties to be numbered Section 9 of said Article VIII, be and the same is hereby agreed to and shall be submitted to the electors of the State at the general election to be held on the first Tuesday after the first Monday in November, A. D. 1924, for ratification or rejection, to-wit:

Section 9. The Legislature shall have power to establish, change and abolish local government extending territorially throughout Duval County in the place of all county, district, municipal and local governments, boards, bodies and officials, constitutional or statutory, legislative, executive, or judicial and shall prescribe the jurisdiction, powers, duties and functions of such government, its legislative, executive and judicial departments and its boards, bodies and officials; to divide the territory included in such government into subordinate districts, and to prescribe a just and reasonable system of taxation for such government and districts; existing and future bonded indebtedness shall be and remain definitely in area and taxable liability; a homestead in a rural area shall not be limited as if in a city or town; but no legislation under this section shall be effective until a majority of the electors in the county, who shall vote thereon at an election for the purpose, and who are qualified to vote for members of the legislature, shall vote in favor of such legislation.

Upon call of the roll on the passage of the Senate Joint Resolution No. 213, the vote was:

Yeas—Mr. President, Senators Anderson, Butler, Calkins, Campbell, Colson, Cone, Eaton, Epperson, Etheredge, Hodges, Igou, Johnson, Knabb, Knight, MacWilliams, Malone, Overstreet, Putnam, Rowe, Russell, Scales, Shelley, Singletary, Stokes, Taylor, Wells—27.

Nays—Senators Mapoles, Mitchell, Phillips, Wicker—4.

Senate Joint Resolution No. 214 having received the constitutional three-fifths vote of all the members of the Senate passed, title as stated.

And the same was ordered certified to the House of Representatives.

#### CONSIDERATION OF BILLS ON THIRD READING.

Senate Bills No. 108 and 96 were taken up in their order and the consideration of the same was temporarily passed over.

By consent—

Mr. Taylor withdrew Senate Bill No. 133.

Senate Bills Nos. 564 and 270 were taken up in their order and the consideration of the same was temporarily passed over.

Mr. Malone moved that Senate Bill No. 391 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 391:

A bill to be entitled An Act to provide for the creation of a municipal corporation to be known as the Town of Clewiston, in Lee County, Florida; to fix and determine the territorial limits, jurisdiction and powers of said town and the jurisdiction and powers of its officers; and to provide a referendum on the question of incorporating said town.

Was taken up.

Mr. Malone moved that the rules be waived and Senate Bill No. 391 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 391 was read a second time by its title only.

Mr. Malone moved that the rules be further waived and that Senate Bill No. 391 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 391 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Anderson, Butler, Calkins, Campbell, Colson, Cone, Eaton, Epperson, Etheredge, Hodges, Igou, Johnson, Knabb, Knight, Lindsey, MacWilliams, Malone, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, Scales, Shelley, Singletary, Stokes, Taylor, Wells, Wicker—31.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives.

By consent—

Mr. MacWilliams introduced—

Senate Bill No. 450:

A bill to be entitled An Act to amend Sections 19, 20, 21, 30, 32, 41, 44, 48, 50, 51, 52, and 53 of the Act approved May 5, 1921, entitled "An Act to regulate and provide for the military forces of the State of Florida, and to promote their efficiency," and for other purposes, being Chapter 8502 of the Laws of Florida.

Which was read the first time by its title.

Mr. MacWilliams moved that the rules be waived and Senate Bill No. 450 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 450 was read a second time by its title only.

Mr. MacWilliams moved that the rules be further waived and that Senate Bill No. 450 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 450 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Anderson, Calkins, Campbell, Colson, Cone, Eaton, Hodges, Johnson, Knabb, Knight, MacWilliams, Mitchell, Overstreet, Phillips, Putnam, Rowe, Scales, Shelley, Singletary, Stokes, Taylor, Wells, Wicker—24.

Nays—None.

So the bill passed, title as stated.

And the same was ordered certified to the House of Representatives.

By Consent—

Mr. Stokes Introduced—

Senate Bill No. 451:

A bill to be entitled An Act providing for proceedings in the Courts of Escambia County, Florida; other than the Circuit Court upon appearance bonds and bail bonds and for the Estreature of such bonds, and to prescribe the powers and duties of the Court of Record of Escambia County, Florida; with reference to such bonds; and to provide for the rendition of judgment by the Court of Record of Escambia County, Florida, upon such bonds and to provide for the enforcement of such Bonds through the Court of Record of Escambia County, Florida.

Which was read the first time by its title.

And the bill was placed on the Calendar of Bills on the Second Reading without reference.

By Consent—

Mr. Igou Introduced—

Senate Bill No. 452:

A bill to be entitled An Act to validate, approve and confirm proceedings taken by the Town Council of the Town of Umatilla, Lake County, Florida, for the construction and paving of certain streets in said Town; to authorize the Town Council of said Town to levy assessments against the property fronting or abutting on said streets or portions thereof to be paved; and to authorize the issuance of certificates of indebtedness and improvement bonds of said Town based upon said assessments, and to make same the general obligations of the said town of Umatilla.

Which was read the first time by its title.

And the Bill was placed on the Calendar of Local Bills on the Second Reading without reference.

By consent—

Mr. Campbell introduced—

Senate Bill No. 453:

A bill to be entitled An Act providing for the redistricting of the County of Saint Lucie into Special Tax School

Districts by consolidating certain Special Tax School Districts and changing and rectifying the boundaries between others.

Which was read the first time by its title and the bill was placed on the Calendar of Local Bills on the Second Reading without reference.

By consent—

Mr. Campbell introduced—

Senate Bill No. 454:

A bill to be entitled An Act to abolish the present municipal government of the town of Pahokee, in Palm Beach County, Florida; to legalize and validate the ordinances of said town and official acts thereunder; to create and establish a new municipality to be known as the Town of Pahokee, Palm Beach County, Florida; and to fix and provide its territorial limits, jurisdiction and powers, and the jurisdiction and powers of its officers.

Which was read the first time by its title.

And the bill was placed on the Calendar of Local Bills on the Second Reading without reference.

By consent—

Mr. Campbell introduced—

Senate Bill No. 455:

A bill to be entitled An Act providing for the issuance of bonds by Fort Pierce Special Tax School District Number 2 and Saint Lucie Special Tax District Number 15, of Saint Lucie County, Florida, for the purpose of erecting, building and furnishing a central high school building in the City of Fort Pierce.

Which was read the first time by its title.

And the bill was placed on the Calendar of Local Bills on the Second Reading without reference.

By Consent—

Mr. Campbell introduced—

Senate Bill No. 456:

A bill to be entitled An Act to amend Section 6 of Chapter 7592 of the Laws of Florida, Acts of 1917, to provide for the appointment of an Assistant Prosecuting Attorney, fixing his duties and powers, and providing for his compensation.



Which was read the first time by its title.

And the bill was placed on the Calendar of Local Bills on the Second Reading without reference.

By consent—

By Mr. Campbell introduced:

Senate Bill No. 457:

A bill to be entitled An Act ratifying, validating and confirming all of the proceedings taken for the creation and organization of Pahokee Drainage District, and all of the acts and proceedings taken by, for and on behalf of said district since the creation thereof, and all of the acts and proceedings of the Circuit Court, of the Board of Supervisors, the Commissioners and all other officers, and all agents of said Drainage District, acting for and on behalf of said District, in carrying out the affairs of said District; and ratifying, validating and confirming any and all tax levies and assessments which have been made by the Board of Supervisors of said District upon the assessable and taxable property located within said District; authorizing the Board of Supervisors of said District to pay for work done and refund amounts expended by the Drainage Commissioners of Everglades Drainage District; to extend the term of said District to ninety-nine years; and to authorize the said Board of Supervisors to construct such dikes, dams and levees on and across certain lands and waters adjacent to said District, as they shall deem necessary or useful in their general plan of drainage.

Which was read the first time by its title.

And the bill was placed on the Calendar of Local Bills on the Second Reading without reference.

By Consent—

Mr. Campbell introduced—

Senate Bill No. 458:

A bill to be entitled An Act to amend Section 2267, Revised General Statutes of Florida, pertaining to and regulating the obtaining of licenses by embalmers and undertakers and prescribing the manner in which such licenses shall be obtained; to amend Section 2272, Revised General Statutes of Florida, relating to the revocation of licenses of Undertakers and Embalmers; to prohibit any person from practicing embalming in this State without complying with the law in regard to procuring licenses and to

provide penalties for the violation of the same; to define the word "Undertaker" as used in connection with this Act, and to provide regulations under which persons shall serve apprenticeships in this State for the purpose of learning the science of embalming.

Which was read the first time by its title and referred to the Committee on Public Health.

By Consent—

Mr. Knabb introduced

Senate Bill No. 459:

A bill to be entitled An Act granting Pension to W. E. Phillips, of Baker County, Florida.

Which was read the first time by its title and referred to the Committee on Pensions.

By Consent—

Mr. Knight introduced

Senate Bill No. 460:

An Act to exempt from taxation one thousand dollars of property of each aged bona fide resident of this State who has passed the allotted age of seventy years, and who has been a resident of Florida continuously for the last past thirty (30) years, prior to the passage of this Act.

Which was read the first time by its title and referred to the Committee on Judiciary B.

By Consent—

Mr. Colson Introduced—

Senate Bill No. 461:

A bill to be entitled An Act to amend Chapter 8387 Laws of Florida, Acts of 1919, of an Act entitled "An Act to abolish the present municipal government of the Town of Waldo, in Alachua County, Florida; to legalize the ordinances of said Town and all official acts thereunder; to create and establish the municipality of the City of Waldo, in Alachua County, Florida; to prescribe its boundaries and to provide its jurisdiction and powers and officers thereof" and providing for the exercise of those powers, and to enable the City of Waldo to provide for the paving of any street or parts of streets in said City and for the general improvements in said City, and to subject in every such case the lots or parcels of land fronting or abutting on any street or part of street where such improvements may be made, to a lien in favor of said City, for all or a

specified part of the cost of the work and material; to authorize the enforcement and collection by said City of all such liens and to authorize said City of Waldo, Florida to issue its certificates of indebtedness.

Which was read the first time by its title.

Mr. Colson moved that the rules be waived and Senate Bill No. 461, be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 461 was read a second time by its title only.

Mr. Colson moved that the rules be further waived and that Senate Bill No. 461, be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 461, was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Anderson, Butler, Calkins, Campbell, Colson, Cone, Eaton, Epperson, Etheredge, Hodges, Johnson, Knight, Lindsey, MacWilliams, Malone, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, Shelley, Singletary, Stokes, Taylor, Wells, Wicker—28.

Nays—None.

So the bill passed, title as stated.

And the same was ordered certified to the House of Representatives.

Mr. Hodges moved that Senate Bill No. 374 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 374:

A bill to be entitled An Act to authorize the Board of Commissioners of State Institutions to pay for material furnished and work done on the State Capitol building not contemplated when the work of repairing and remodeling the building was begun; to authorize the Board of Commissioners of State Institutions to pay for furniture purchased for the Senate Chamber and House of Representatives and to purchase furniture for Committee Rooms; to provide for additional work of the Capitol building and for constructing walks, drives and beautifying the Capitol grounds and making an appropriation for the same.

Was taken up.

Mr. Hodges moved that the rules be waived and Senate Bill No. 374 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 374 was read a second time by its title only.

Mr. Hodges moved that the rules be further waived and that Senate Bill No. 374 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 374 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Anderson, Campbell, Colson, Cone, Etheredge, Hodges, Igou, Johnson, Knabb, Knight, Lindsey, MacWilliams, Malone, Mapoles, Mitchell, Phillips, Putnam, Rowe, Russell, Seales, Shelley, Singletary, Stokes, Taylor—25.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives.

Mr. Phillips moved that the time for adjournment be extended to 1:25 o'clock p. m.

Which was agreed to.

Mr. Phillips moved that Senate Bill No. 166 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 166:

A bill to be entitled An Act to amend Section 2858, Revised General Statutes of Florida, pertaining to assessment of one-third expense of certain improvements against property specially benefited thereby by cities and towns.

Was taken up.

Mr. Phillips moved that the rules be waived and Senate Bill No. 166 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 166 was read a second time by its title only.

Mr. Phillips moved that the rules be further waived and that Senate Bill No. 166 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 166 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Anderson, Campbell, Colson, Cone, Etheredge, Hodges, Igou, Johnson, Knabb, Knight, Lindsey, MacWilliams, Mapoles, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, Scales, Shelley, Singletary, Stokes, Taylor, Wicker—27.

Nays—None.

So the bill passed, title as stated.

And the same was ordered certified to the House of Representatives.

Mr. MacWilliams moved that Senate Bill No. 270 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 270:

A bill to be entitled An Act providing a supplemental, additional and alternative method of making local improvements in cities, towns and municipal corporations, authorizing and providing for special assessments for the cost thereof, and authorizing the issuance and sale of bonds of such municipalities, and providing for the creation of a revolving fund and the issuance and sale of bonds therefor.

Was taken up.

Mr. MacWilliams moved that the bill be placed back on its second reading.

Which was agreed to.

And the bill was placed before the Senate on its Second Reading.

Mr. MacWilliams offered Substitute for Senate Bill 270, with the following title:

A bill to be entitled An Act providing a supplemental, additional and alternative method of making local improvements in cities, towns, and municipal corporations, authorizing and providing for special assessments for the cost thereof, and authorizing the issuance and sale of bonds of such municipalities in connection with the said local improvements, said bonds to be general obligations of the municipalities.

Which was read the first time by its title.

Mr. MacWilliams moved that the rules be waived and Substitute for Senate Bill No. 270 be read a second time in full.

Which was agreed to by a two-thirds vote.

And Substitute for Senate Bill No. 270, was read a second time in full.

Mr. MacWilliams moved to adopt the Substitute in lieu of the original bill.

Which was agreed to.

And the Substitute took the place of the original Bill.

Mr. MacWilliams moved that the rules be further waived and that Substitute for Senate Bill No. 270 be read a third time in full and put upon its passage.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Anderson, Butler, Calkins, Campbell, Colson, Etheredge, Igou, Knabb, Lindsey, MacWilliams, Malone, Mitchell, Overstreet, Phillips, Rowe, Scales, Stokes, Taylor, Wicker—20.

Nays—Senators Epperson, Mapoles—2.

So Substitute for Senate Bill No. 270 passed, title as stated.

And the same was ordered certified to the House of Representatives immediately.

Mr. MacWilliams moved that the Senate do now recess.

Which was agreed to.

Thereupon the Senate at 1:45 p. m. took a recess to 8 o'clock p. m. this day.

## NIGHT SESSION.

8 O'CLOCK P. M., THURSDAY, MAY 15.

The Senate convened at 8 o'clock P. M. pursuant to recess order.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Senators Anderson, Butler, Calkins, Campbell, Colson, Cone, Eaton, Epperson, Etheredge,

Hodges, Igou, Johnson, Knabb, Knight, Lindsey, MacWilliams, Malone, Mapoles, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, Scales, Shelley, Singletary, Stokes, Taylor, Wells, Wicker—32.

A quorum present.

Mr. Lindsey moved that Senate Bills Nos. 431, 419 and 176, with House amendments thereto, and Senate Bill No. 43, be now taken up in the order named and read.

Which was agreed to.

And Senate Bills Nos. 431, 419, 314 and 176, with the House amendments thereto, and Senate Bill No. 43, were taken up and read, together with the amendment offered by Mr. Lindsey to Senate Bill No. 431, the amendments offered by Mr. Phillips and Mr. Hodges to Senate Bill No. 419, the House amendments to Senate Bill No. 176, and the amendments offered by Mr. Turnbull to Senate Bill No. 43.

Mr. Johnson moved to take up Senate Bill No. 176, with the amendment adopted by the House of Representatives to the same.

Which was agreed to.

And—

Senate Bill No. 176:

A bill to be entitled An Act to amend Section 6217 and 6218 of the Revised General Statutes, relating to working County Convicts.

Was taken up and read the second time.

The following House amendment to Senate Bill No. 176 was read, as follows:

“Strike out all after the enacting clause and insert the following:

“Section 1. That Section 6217, Revised General Statutes of Florida, 1920, providing for the putting of County Convicts to Labor, be amended to read as follows:

6217. County Convicts May Be Put to Labor.—The Board of County Commissioners of each County may employ all persons in the jail of their respective counties under sentence upon conviction for crime, at labor upon the roads, bridges, or other public works of the county where they are so imprisoned. Said County Convicts shall be kept and worked under such rules and regulations and supervision as may be prescribed by the Commissioner of Agriculture, with the advice and approval of the Board of Commissioners of State Institutions, and the Commissioner of

Agriculture, with the approval of the Board of Commissioners of State Institutions, shall have the power to enforce all such rules and regulations. Upon the failure of any person in charge of said County Convicts to comply with such rules and regulations, the Commissioner of Agriculture, with the approval of the Board of Commissioners of State Institutions, shall have the right to require the discharge of such person.

It shall be the duty of Supervisors of State Convicts to inspect and supervise all County Convict Camps, under the direction of the Commissioner of Agriculture. Said supervisors shall make written reports to the Commissioner of Agriculture and shall send duplicate copies of said reports to the Board of County Commissioners of the County in which said Convicts so inspected were sentenced, which reports shall at all times be open to public inspection.

It shall be the duty of the Board of County Commissioners when working County Convicts on the public works of the counties, to provide or cause to be provided, substantial food, clothes, shoes, medical attention, etc., for said Convicts as are required for State Convicts in the State.

When a prisoner is discharged by reason of having served his sentence, or upon receiving a pardon or parole, he shall be furnished transportation, or its equivalent in money, back to the place from which he was sentenced, together with the sum of Five (\$5.00) Dollars, where the sentence is for Thirty (30) days, or more, in addition to his transportation, all of which shall be paid out of the general fund of the county in which he was convicted, and for the purpose of carrying out the provisions of this Act, the Clerk of the Board of County Commissioners of each county shall under the directions of said Board, issue a check on said fund with which to pay these amounts to the convicts being discharged at the time of his release.

Section 2. Section 6218, Revised General Statutes of Florida, 1920, providing for working County Convicts on roads and bridges, and for leasing convicts to another county, to be amended so as to read as follows:

6218. Working County Convicts on Roads and Bridges or Other Public Works of the County, or May be Hired Out to Another County.—The Board of County Commissioners of the several counties are hereby authorized and empowered to require all County Convicts under sentence

confined in the jail of their respective counties for any offense, to labor upon the Public Roads, Bridges, Farms or other public works owned and operated by the County, or in the event the County Commissioners of any county deem it to the best interest of their County, they may hire out their prisoners to any other County in the State to be worked upon the Public Roads, Bridges, or other Public Works of that County, or they may upon such terms as may be agreed upon between themselves and the State Road Department, lease or let said prisoners to the said Department instead of keeping them in the County Jail where they are sentenced, and the money derived from the hire of such Convicts shall be paid to the County hiring out such Convicts and placed to the credit of the Fine and Forfeiture Fund of the County.

The County Commissioners shall employ such guard, or guards as they may deem necessary, who shall be a man over the age of twenty-one years, and of good reputation, honest, sober, and a law abiding citizen, and each Board of County Commissioners working convicts under the provisions of this Act shall employ one Captain or Warden of Convicts, upon the approval of the Commissioner of Agriculture, whose qualifications shall be the same as is required of guards, and such Captain or Warden shall be the only person who shall be authorized to administer punishment to prisoners. Provided, all Captains, Wardens or Guards, and all persons having supervision or charge of Convicts shall be appointed with the approval of the Commissioner of Agriculture. The salaries of Captains, Wardens and Guards provided for in this Act shall be fixed by the Board of County Commissioners employing them, and the Captain or Warden shall be furnished means of transportation over the roads of the County, when necessary, the upkeep and operation of which shall be furnished by the County. Provided, however, the county shall not in any case be required to furnish a driver of such conveyances where such services are required to be paid for. It shall be the duty of all Captains or Wardens of Convicts to see that all rules and regulations prescribed by Law or the Commissioner of Agriculture and the Board of Commissioners of State Institutions, are fully observed and complied with; to enforce discipline among the convicts in and about the camps, and to administer punishment to convicts, when, in his judgment, the same

is necessary in order to enforce proper discipline, conforming always to the law and rules and regulations the same as is required of Captains and Wardens of State Convicts. Provided, however, all convict guards employed under the provisions of this Act shall be required to give bond in the sum of one thousand (\$1,000.00) dollars and all Captains so employed shall be required to give bond in the sum of twenty-five hundred (\$2,500.00) dollars such bonds to be approved by the Board of County Commissioners of their respective Counties, payable to the Governor and his Successors in office, or Commissioner of Agriculture conditioned upon the performance of their duties and compliance with all rules and regulations duly prescribed for their conduct. Suit on such bonds may be brought by any convict sustaining injury or damage by reason of the breach of the condition of such bond.

All Boards of County Commissioners are hereby required to immediately discharge any Captain, Warden or Guard in their employ who shall be guilty of gross negligence or cruel and inhuman treatment to prisoners under their control, and their action shall be final.

All salaries contemplated by this Act shall be paid from the General Revenue Fund of the County.

No flogging or whipping of convicts in this State shall be lawful, and the same is hereby forever prohibited in the State of Florida, but the Commissioner of Agriculture shall have power to make and enforce suitable and reasonable rules and regulations for the government of such convicts while serving sentences in prison camps or jails, and to enforce the same by solitary confinement, restriction of privileges, or any other humane and reasonable method of punishment, and any convict in any jail or prison camp of this State who shall repeatedly, knowingly and wilfully refuse to obey any such reasonable rule or regulation while being subject thereto, shall be deemed guilty of a substantive offense, and upon conviction thereof, shall be punished as for a misdemeanor under the general laws of this State, and such punishment shall upon his conviction be in addition to the sentence he is then serving. No convict shall be compelled to labor more than ten hours per day nor be subject to punishment for any refusal to labor beyond such limit. Provided, that the ten hours shall be the time embraced from the leaving of to the return of the prisoner to his place of detention.

Section 3. All county convicts in this State shall be placed at work under the provisions of this Act on or before the first day of January, A. D. 1924. No new contracts shall be made whereby county convicts shall be leased to work for any private interest after the passage of this Act and it shall become a law. All existing contracts heretofore lawfully made for the hire or lease of county convicts to private parties shall determine and become and be null and void on December 31st, A. D. 1923, any provisions therein contained to the contrary notwithstanding unless sooner determined in accordance with the terms thereof or of the provisions of law under which they were made.

Section 4. Nothing in this Act shall be construed to prohibit Boards of County Commissioners in Counties where a Board of Bond Trustees, Board of Public Works or other duly constituted board, have charge of the construction and maintenance of the public roads, from turning the County Convicts over to the said Trustees to be worked on the public roads of said County, subject to all the rules and regulations herein provided.

Section 5. This Act shall take effect upon its passage and approval by the Governor.

Mr. Johnson moved that the Senate do not concur to House Amendment to Senate Bill No. 176.

Pending the consideration of which—

Mr. MacWilliams moved as a substitute, that the Senate do now proceed to consider Senate Bill No. 43 and proposed amendments.

The question was put upon the substitute motion.

Upon which a yea and nay vote was demanded.

The roll was called and the vote was:

Yeas—Senators Butler, Calkins, Campbell, Eaton, Etheridge, Hodges, Knabb, MacWilliams, Malone, Mapoles, Putnam, Russell, Stokes, Wells—14.

Nays—Mr. President, Senators Anderson, Colson, Cone, Epperson, Igou, Johnson, Knight, Lindsey, Mitchell, Overstreet, Phillips, Rowe, Scales, Shelley, Singletary, Taylor, Wicker—18.

So the substitute motion was lost.

The question then recurred upon the motion of Mr. Johnson; that the Senate do not concur in the House amendment to Senate Bill No. 176.

Which was agreed to.

And the Senate refused to concur in the House amendment to Senate Bill No. 176.

And the same was ordered to be certified to the House of Representatives.

Mr. Hodges moved to take up Senate Bill No. 176.

Mr. Phillips moved as a substitute that the Senate take up and consider Senate Bill No. 419.

Which was agreed to.

And—

Senate Bill No. 419:

A bill to be entitled An Act revising Sections 6217 and 6218 of the General Statutes of Florida, providing for the abolishment of the convict lease system described in Rules and Regulations for the Maintenance and Care of Convicts, fixing the salaries of captains, guards and physicians described in the method of rendering reports to the Board of Commissioners of said institutions, and approving the penalties for the failure to comply with the rules and regulations as contained in this bill.

Was taken up.

And read a second time in full.

Mr. Hodges offered the following amendment to Senate Bill No. 419:

In Section 5, line 5, of printed bill, after word "treatment," insert "or corporal punishment except in cases of riot or insurrection."

Mr. Hodges moved the adoption of the amendment.

Mr. MacWilliams offered the following substitute to the amendment offered by Mr. Hodges:

In Section 2, line 58, after the words convicts, add the following: Provided that no corporal punishment shall be inflicted upon any convict.

Mr. MacWilliams moved the adoption of the substitute amendment.

Upon which a yea and nay vote was demanded.

The roll was called and the vote was:

Yeas—Senators Butler, Calkins, Campbell, Eaton, Etheridge, Hodges, Knabb, MacWilliams, Malone, Mapoles, Putnam, Russell, Stokes, Wells—14.

Nays—Mr. President, Senators Anderson, Colson, Cone, Epperson, Igou, Johnson, Knight, Lindsey, Mitchell, Overstreet, Phillips, Rowe, Scales, Shelley, Singletary, Taylor, Wicker—18.

So the Substitute Amendment was not agreed to.

The question then recurred upon the Amendment offered by Mr. Hodges.

Which was not agreed to.

Mr. W. W. Phillips, offered the following amendment to Senate Bill No. 419:

After Section 11, add the following:

Section 12: That it shall be unlawful to whip or flog or have whipped or flogged any misdemeanor Convict under the age of 25 years; and any violation of this law, as to the mode of punishment of such misdemeanor Convict, shall be a felony and upon conviction punished by imprisonment in the State prison not exceeding five years or by fine not exceeding One Thousand Dollars (\$1,000.00) or by both fine and imprisonment. Provided that when any misdemeanor Convict imprisoned shall be tried and convicted for insubordination, mutiny or inciting riot, for the first conviction six months shall be added to his sentence, and upon a second conviction for like crime of insubordination, mutiny or riot, he shall be sentenced not less than one year and transferred to the State Road Department to be placed at work on the highways of this State.

Mr. Phillips moved the adoption of the amendment.

Mr. Hodges offered the following Amendment to the Amendment to Bill No. 419:

Strike out the words "twenty-five years."

Mr. Hodges moved the adoption of the amendment.

Which was agreed to.

The question then recurred upon the Amendment as amended.

Mr. Stokes offered the following amendment to the amendment as amended.

After the word "conviction" in the amendment insert the following: "not exceeding."

Mr. Stokes moved the adoption of the amendment.

Which was agreed to.

The question then recurred to the Amendment as amended.

Mr. Stokes offered the following Amendment to the Amendment as amended.

Strike out the word "less" and insert in lieu thereof the following: "More."

Mr. Stokes moved the adoption of the amendment.

Which was agreed to.

The question then recurred upon the Amendment as amended.

The Amendment as amended was agreed to.

Mr. Rowe offered the following amendment to Printed Senate Bill No. 419:

Strike out Section 12½ and insert in lieu thereof the following:

Sec. 12½. That the salaries of the various captains employed under the provisions of this Act shall not be more than \$1,500.00 per year; and physicians employed under the provisions of this Act shall receive not more than \$2,400.00 per year, together with all necessary traveling expenses; guards employed under this Act shall receive not more than \$900.00 per year. All salaries provided for by this Act shall be fixed by the Board of Commissioners of State Institutions.

Mr. Rowe moved the adoption of the amendment.

Which was agreed to.

Mr. Johnson offered the following amendment to Senate Bill No. 419:

In Section 20, line 18, after the word county in said line 18, add: Provided, no misdemeanor Convicts shall be worked with felony convicts.

Mr. Johnson moved the adoption of the amendment.

Which was agreed to.

Mr. Knabb offered the following amendment to Senate Bill No. 419:

In Section 3, line 9, after the figures 1923 add, provided that nothing therein shall operate as a cancellation of any lease then in force.

Mr. Knabb moved the adoption of the amendment.

Which was agreed to.

Mr. Phillips moved to waive the rules and that Senate Bill No. 419, as amended, be read the third time in full and put upon its passage.

Which was not agreed to.

Mr. Lindsey moved that the Senate do now proceed to consider Senate Bill No. 314:

Pending the consideration of which Mr. Hodges moved that the Senate do now adjourn.

Which was agreed to.

Thereupon the Senate at 11:15 o'clock P. M. stood adjourned to 10 o'clock A. M., Friday, May 11, 1923.

**Friday, May 11, 1923**

The Senate met at 10 o'clock a. m.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President, Senators Anderson, Butler, Calkins, Campbell, Colson, Cone, Eaton, Epperson, Etheredge, Hodges, Igou, Johnson, Knabb, Knight, Lindsey, MacWilliams, Malone, Mapoles, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, Shelley, Singletary, Stokes, Taylor, Wells, Wicker—31.

A quorum present.

Prayer by the Chaplain.

Reading of the Journal was dispensed with.

The Journal of Thursday, May 10th, was corrected, and as corrected was approved.

#### REPORTS OF COMMITTEES.

Mr. Cone, Chairman of the Committee on Public Health, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 11, 1923.

*Hon. T. T. Turnbull,*  
*President of the Senate.*

*Sir:*

Your Committee on Public Health, to whom was referred—

Senate Bill No. 458:

Abill to be entitled An Act to amend Section 2267, Revised General Statutes of Florida, pertaining to and regulating the obtaining of licenses by embalmers and undertakers and prescribing the manner in which such licenses shall be obtained; to amend Section 2272, Re-